

## SENATE BILL NO. 369

INTRODUCED BY B. GLASER, TOOLE, JACOBSON, TAYLOR

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THIRD-PARTY INSPECTIONS ON STATE AND POLITICAL SUBDIVISION PUBLIC WORKS PROJECTS WHEN AN ARCHITECT AND A CONTRACTOR OR AN ENGINEER AND A CONTRACTOR ARE RELATED ~~OR HAVE A FINANCIAL BUSINESS RELATIONSHIP~~; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Architect-contractor and engineer-contractor relationships on public works projects -- third-party inspections.** The department and any political subdivision of the state shall require that a third-party inspection of a public works project be conducted when an architect and a contractor or an engineer and a contractor are awarded a bid for a public works project and are connected by:

(1) consanguinity within the first degree; OR

(2) affinity within the first degree; ~~or~~

~~—— (3) a FINANCIAL business relationship other than working on a public works project.~~

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 18, chapter 1, part 1, and the provisions of Title 18, chapter 1, part 1, apply to [section 1].

NEW SECTION. **Section 3. Effective date -- applicability.** [This act] is effective on passage and approval and applies to public works contracts awarded on or after [the effective date of this act].

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